

JAVA Resolution 05-060906



1 **WHEREAS**, the Joint Antelope Valley Authority (JAVA), a joint administrative entity created under
2 the Nebraska Interlocal Cooperation Act (Neb. Rev. Stat. § 13-801 et. seq.) by agreement of April 15, 2000 as
3 amended (JAVA Interlocal Agreement) between the Board of Regents of the University of Nebraska, a public
4 body corporate and governing body of the University of Nebraska (University), the City of Lincoln, Nebraska, a
5 municipal corporation (City), and the Lower Platte South Natural Resources District, a political Subdivision of the
6 State of Nebraska (LPSNRD) is now implementing under the JAVA Interlocal Agreement the Phase One Priority
7 Projects of Antelope Valley Amended Draft Single Package; and

8 **WHEREAS**, JAVA has previously approved by-laws, administrative resolution, policies and
9 guidelines for the implementation of the Phase One Priority Projects; and

10 **WHEREAS**, JAVA has previously authorized appraisals, title work, relocation, geotechnical and
11 other appropriate studies for real property pertaining to the Antelope Creek Flood Protection Project Phase III,
12 including the tracts herein (JAVA resolution 02-0926-02).

13 **NOW THEREFORE**, be it resolved by the Administrative Board of the Joint Antelope Valley Authority
14 as follows:

15 1. JAVA is hereby authorized to obtain appraisals, title work, relocation, geotechnical and other appropriate
16 studies and also to acquire, including by condemnation if necessary, the following real property including
17 partial takings pertaining to the Phase III Antelope Creek Flood Protection Project including the following
18 tract:

19 a. Tract 46 (Peters), a portion of 2143 O street and consisting of a partial tract within SPENCERS
20 ADD BLOCK 1 LOTS 2 & 3.

21 b. Applicable tracts previously acquired from the University of Nebraska and the Nebraska
22 Department of Administrative Services;

23 c. Where necessary due to appraisal studies or other legal or practical reasons, remainder or
24 commonly owned tracts inextricably related to the tract identified above; and

25 d. Necessary and required temporary and permanent construction easements as approved by the
26 City of Lincoln, for the Project.

27 2. The Chairperson is authorized to direct the same to be accomplished, approve the necessary documents
28 and execute agreements to complete the same.

- 1 3. The administrative board hereby finds that due to the circumstances related to the owners of the property,
2 and a correlated community revitalization project that there exists unusual and extraordinary circumstances
3 justifying acquisition at this time.

Dated this 9th Day of June 2005.

Introduced by:

Approved by Unanimous Vote of _____, _____, and _____ after public
hearing on this 9th Day of June 2005.

Signed:

Joint Antelope Valley Authority

Vice-Chairperson

Glenn Johnson, Chairperson

Approved as to form and Legality

Legal Counsel